

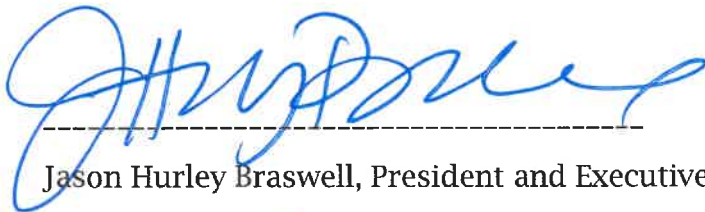
RUBICON COMMUNITY FUND

an Oregon Public Charity

A RESOLUTION OF THE BOARD OF DIRECTORS
2022-2

RESOLVED, that the Rubicon Community Fund Board has adopted a Non-Harassment and Discrimination Policy, attached hereto.

Adopted this 25th Day of July, 2022.



Handwritten signature of Jason Hurley Braswell in blue ink, written over a dashed horizontal line.

Jason Hurley Braswell, President and Executive Director



Handwritten signature of Elizabeth Bunn in blue ink, written over a dashed horizontal line.

Elizabeth Bunn, Board Secretary

Non-Harassment and Discrimination Policy

It is Rubicon Community Fund's policy to prohibit intentional and unintentional harassment of or against job applicants, contractors, interns, volunteers or employees by another employee, supervisor, vendor, customer or any third party on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, expunged juvenile record, or any other characteristic protected by applicable federal, state or local laws (referred to as "protected characteristics"). Such conduct will not be tolerated by the Organization.

The purpose of this policy is not to regulate employees' personal morality, but to ensure that no one harasses another individual in the workplace, including while on Organization premises, while on Organization business (whether or not on Organization premises) or while representing the Organization. In addition to being a violation of this policy, harassment or retaliation based on any protected characteristic as defined by applicable federal, state or local laws also is unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment as defined by applicable federal, state, or local laws are unlawful.

Harassment Defined

Harassment generally is defined in this policy as unwelcome verbal, visual or physical conduct that denigrates or shows hostility or aversion toward an individual because of any actual or perceived protected characteristic or has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another, blocking someone's way, etc.). Such conduct violates this policy, even if it does not rise to the level of a violation of applicable federal, state or local laws. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Sexual Harassment Defined

Sexual harassment can include all of the above actions, as well as other unwelcome conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities and other verbal, visual or physical conduct of a sexual nature when:

submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or the conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that violate this policy include:

1. unwelcome flirtations, leering, whistling, touching, pinching, assault, blocking normal movement;
2. requests for sexual favors or demands for sexual favors in exchange for favorable treatment;
3. obscene or vulgar gestures, posters or comments;
4. sexual jokes or comments about a person's body, sexual prowess or sexual deficiencies;
5. propositions or suggestive or insulting comments of a sexual nature;
6. derogatory cartoons, posters and drawings;
7. sexually explicit e-mails, text messages or voicemails;
8. uninvited touching of a sexual nature;
9. unwelcome sexually-related comments;
10. conversation about one's own or someone else's sex life;
11. conduct or comments consistently targeted at only one gender, even if the content is not sexual; and
12. teasing or other conduct directed toward a person because of the person's gender.

Sexual Assault Defined

Sexual assault, defined as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation, also is specifically prohibited.

Any discrimination, harassment or retaliation is unacceptable in the workplace and in any work-related settings such as business trips and business-related social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, client, customer, vendor or other third party.

Reporting Procedures

If the employee has been subjected to or witnessed conduct which violates this policy, the employee should immediately report the matter to the Executive Director. If the employee is unable for any reason to contact this person, or if the employee has not received an initial response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact any member of management. If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in the reporting hierarchy.

All employees are encouraged to document any incidents involving discrimination, harassment and sexual assault as soon as possible.

Investigation Procedures

Every report of perceived harassment will be fully investigated, and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. All employees must cooperate with all investigations conducted pursuant to this policy.

Nondisclosure and Nondisparagement Agreements

The Organization may not require or coerce employees to enter into a nondisclosure or nondisparagement agreement concerning harassment, discrimination or sexual assault. A nondisclosure agreement is an agreement wherein a party agrees to not share information with others regarding the subject of the agreement. A nondisparagement agreement is an agreement wherein a party agrees not to criticize or bring negative attention to the other party.

Employees may voluntarily choose to enter into an agreement regarding harassment, discrimination or sexual assault that contains a nondisclosure agreement, nondisparagement agreement or an agreement prohibiting the employee from seeking reemployment with the Organization, and the employee will have seven (7) days to revoke the agreement after it has been executed.

Time Period To Bring a Legal Claim

Under Oregon law, an individual has five (5) years from the date of an act of unlawful harassment or discrimination to file a claim. This time period applies to acts of unlawful harassment or discrimination occurring on or after September 29, 2020. An individual has one (1) year to file a claim regarding acts of unlawful harassment or discrimination occurring before these dates.

Retaliation Prohibited

In addition, the Organization will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy. If employees have been subjected to any such retaliation, they should report it in the same manner in which they would report a claim of perceived harassment under this policy.

Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including termination.